

DISTRICT OF NEVADA

KARRI GARIS,

Plaintiffs,

VS.

GYPSUM RESOURCES MATERIALS, LLC, *et al.*,

Defendants.

2:16-cv-02534-APG-VCF

ORDER

Before the Court is Littler Mendelson's Motion to Withdraw as Counsel of Record for Gypsum Resources Materials, LLC, Truckee springs Holdings, Inc. and James M. Rhodes Pursuant to Local Rule IA 11-6. (ECF No. 23). Kathryn Blakey, Esq. and Roger L. Grandgenett, Esq. and the law firm of Littler Mendelson, PC seeks to withdraw as counsel of record for Defendants, due to a breakdown in communication. *Id.* Plaintiff filed a notice of non-opposition to motion to withdraw as counsel (ECF No. 24).

Discussion

This action commenced on October 9, 2016 (ECF No. 1-1). Local Rule IA 11-6 provides that “no withdrawal . . . will be approved if delay of discovery, the trial or any hearing in the case” Trial date has not been set. Discovery cut-off is September 28, 2017. (ECF No. 22). No dispositive motions are pending.

28 U.S.C. § 1654 provides that “[i]n all courts of the United States the parties may plead and conduct their own cases personally.” *See C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987). Although individuals may represent themselves pursuant to this statute, a corporation is not permitted to appear in Federal Court unless it is represented by counsel. *U.S. v. High Country*

1 *Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). An individual also does not have the right to
2 appear on behalf of anyone other than himself. *Pope*, 818 F.2d at 697. The Ninth Circuit has permitted
3 motions to strike and motions to dismiss pleadings filed by *pro se* parties on behalf of entities including
4 trusts. *Id.* at 698; *United States v. Nagy*, C11-5066BHS, 2011 WL 3502488 (W.D. Wash. Aug. 10, 2011).
5 Gypsum Resources Materials, LLC and Truckee Springs Holdings, Inc. may not proceed *pro se*, as limited
6 liability companies must be represented by counsel.

7 The Court finds that permitting counsel to withdraw would not result in delay. LR IA 11-6. No
8 hearing has been scheduled and trial date has not been determined.

9 Accordingly, and for Good Cause Shown,


10 IT IS HEREBY ORDERED that the Littler Mendelson's Motion to Withdraw as Counsel of
11 Record for Gypsum Resources Materials, LLC, Truckee Springs Holdings, Inc. and James M. Rhodes
12 Pursuant to Local Rule IA 11-6 (ECF No. 23) is GRANTED.

13 IT IS FURTHER ORDERED that Gypsum Resources Materials, LLC and Truckee Springs
14 Holdings, Inc. must retain counsel by September 22, 2017. Failure to comply with this order may result
15 in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.
16

17 The Clerk of Court is directed to mail a copy of this Order to Defendants at the following address:

18 Gypsum Resources Materials, LLC
19 Truckee Springs Holdings, Inc.
20 James M. Rhodes
8912 Spanish Ridge Avenue, Suite 200
Las Vegas, Nevada 89148

21 DATED this 22nd day of August, 2017.



22 CAM FERENBACH
23 UNITED STATES MAGISTRATE JUDGE
24
25